

20.149289



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

City Hall
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND
RETURN TO THE CITY OF HAMILTON PLANNING
DEPARTMENT.**

RECEIVED

FOR OFFICE USE ONLY.

JAN 22 2020

APPLICATION NO. HM/A-20-29 DATE APPLICATION RECEIVED JAN 22 2020

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner Alison Nielsen-Jones & Andrew Crawford Telephone No. _____

2. _____

3. Name of Agent David Wilson Telephone No. _____

4. _____

_____ Postal Code _____

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

→ Royal Bank of Canada

10 York Mills Rd., 3rd Floor, Toronto Postal Code M2P 0A2

_____ Postal Code _____

6. Nature and extent of relief applied for:

Front setback: propose 0.9m where 6.0m is req'd

Front eaves projection into front yard: propose 0.48m from front lot line

Front stairs projection into front yard: propose 0.31m from front lot line

Carport side setback: propose 0.9m

7. Why it is not possible to comply with the provisions of the By-law?

The existing dwelling is inadequate in size for the current family's needs. However, the site's low soil bearing capacity is inadequate to place additional load on the footings of the existing home. With the odd construction of the rear of the home, it is only feasible to expand forward & upward with the use of helical piles for the new loads.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Subject Municipal Address: 71 Chatham St., Hamilton, ON, L8P 2B3

Subject Legal Description: Lot 112, REGISTERED PLAN No 253

- ## 9. PREVIOUS USE OF PROPERTY

Residential X Industrial _____ Commercial _____

Agricultural _____ Vacant _____

Other _____

- 9.1 If Industrial or Commercial, specify use

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes _____ No X Unknown _____

- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes _____ No X Unknown _____

- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes _____ No X Unknown _____

- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes _____ No X _____ Unknown _____

- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes _____ No X Unknown _____

- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes _____ No X Unknown _____

- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes _____ No X Unknown _____

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes _____ No X Unknown _____

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

By inspection, the existing home on the subject lands appears to have been constructed circa 1900, similar to the surrounding heighbourhood;

Vernon's Directory 1926 lists the address as a residential occupancy at that time.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.


Is the previous use inventory attached? Yes _____ No _____

ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

→ Jan 15, 2020

Date


Alison Nielsen-Jones & Andrew Crawford
Print Name of Owner

10. Dimensions of lands affected:

Frontage 14.9m

Depth 39.3m

Area 585.6m²

Width of street ~18m

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Ground Floor Area: 100.4m²

Gross Floor Area: 158.8m²

No. of Storeys: 2

Height: 6.7m grade to peak

Proposed: Ground Floor Area: 137.2m²

Gross Floor Area: 259.5m²

No. of Storeys: 2-1/2 strys

Height: 11.0m grade to peak

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing: Please see attached Site Plan

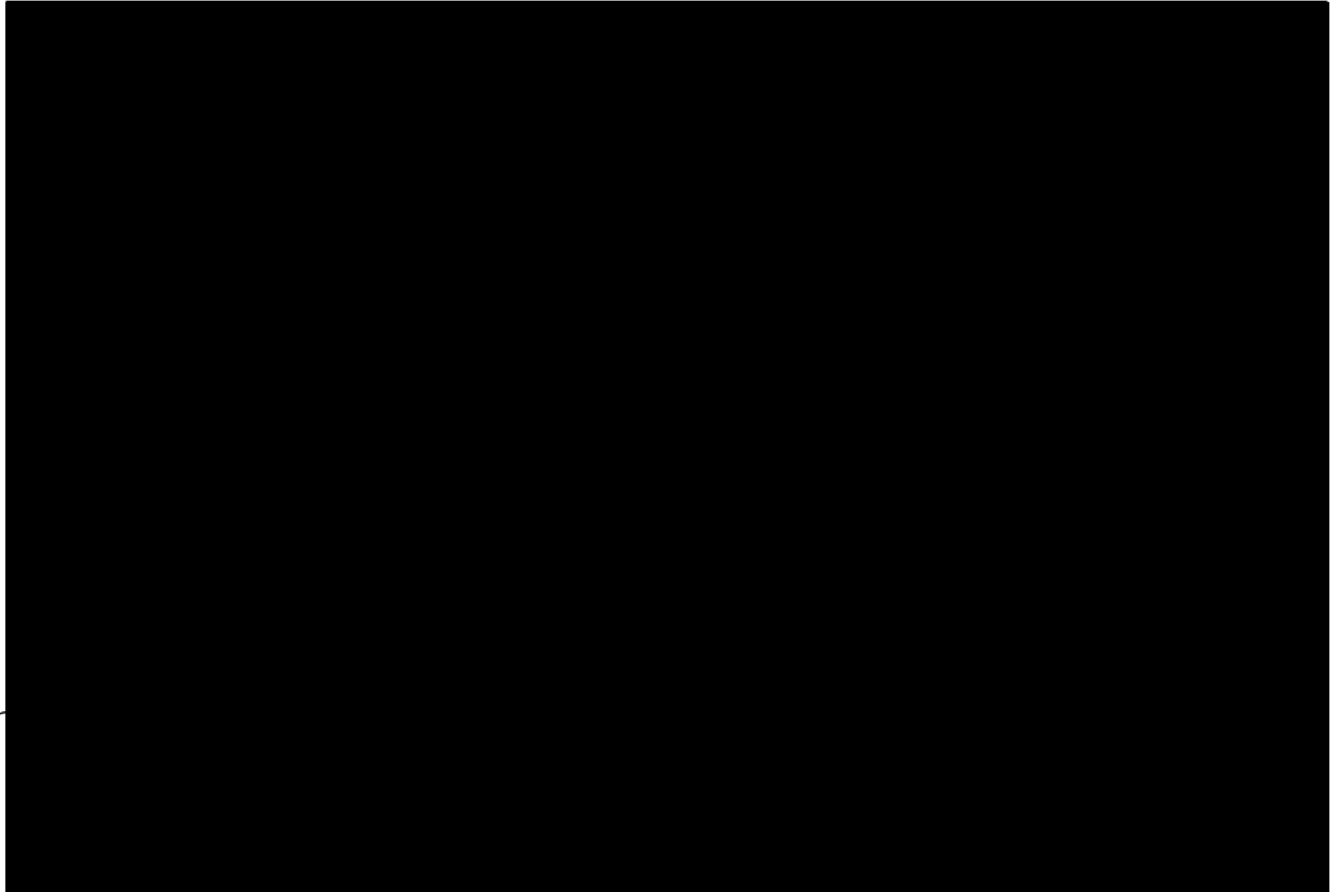
Proposed: Please see attached Site Plan

13. Date of acquisition of subject lands:
June 17, 2019
14. Date of construction of all buildings and structures on subject lands:
Home: circa 1900; Garage: 2015 as per Bldg. Permit No. 15 109401 00 R9
15. Existing uses of the subject property: single family dwelling
16. Existing uses of abutting properties: single family dwellings
17. Length of time the existing uses of the subject property have continued:
Greater than 90 years (see 9.11 above)
18. Municipal services available: (check the appropriate space or spaces)
Water X Connected X
Sanitary Sewer X Connected X
Storm Sewers X
19. Present Official Plan/Secondary Plan provisions applying to the land:
UHOP: "Neighbourhoods"
Secondary: n/a
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoned "D", Urban Protected Residential One & Two Family Dwellings
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.



PART 25 OWNERS AUTHORIZATION

Alison Nielsen-Jones &

Andrew Crawford

As of the date of this application, I (NAME) am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

David Wilson

of Built Environment Design & Consulting

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE January 21, 2020

SIGNED

must be signed by owner

PART 26 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Alison Nielsen-Jones & Andrew Crawford, the Owner, hereby agree and acknowledge
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

January 21, 2020

Date

Signature of Owner

must be signed by owner

PART 27 PERMISSION TO ENTER

Date: Jan 15, 2020

Secretary/Treasurer
Committee of Adjustment
City of Hamilton,
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 71 Chatham St, Hamilton, ON
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

David Wilson

Please print name

Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.

PART 28 COLLECTION OF INFORMATION

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.